

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RICK FUTIA,)	Case No.: C 11-00012 PSG
)	
Plaintiff,)	ORDER TO SHOW CAUSE
)	
v.)	
)	
JAMES FERGUSON AND ALTHEA)	
FERGUSON, ET AL.,)	
)	
Defendants.)	
_____)	

On January 3, 2011, Plaintiff Rick Futia (“Futia”) filed a complaint alleging claims for denial of full and equal access to a public accommodation. Pursuant to General Order No. 56, “[i]f within 45 days from the joint inspection and review, the parties cannot reach an agreement on injunctive review, or cannot settle the damages and fees claims, plaintiff shall file a ‘Notice of Need for Mediation’” *See* General Order No. 56, ¶ 6. A joint inspection was to have occurred no later than 100 days after filing the complaint. *See id.* at ¶ 3.

Here, Futia filed his complaint nearly seven months ago and he has not filed a notice of need for mediation. Nor did he seek relief from the requirement. *See id.* at ¶ 8. Accordingly,

IT IS HEREBY ORDERED that no later than August 5, 2011, Futia is ordered to show cause

1 why the case should not be dismissed for failure to prosecute the case.

2 IT IS SO ORDERED.

3 Dated: July 28, 2011

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5 PAUL S. GREWAL
6 United States Magistrate Judge
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